## Subdivision Limitations – local floodplain management ordinance amendments or local technical code amendments CCR Title 24 (Part 2 building, Appendix G)

Submit draft ordinances amending the flood provisions of the building code (in <track changes>) for review well in advance of first reading to DWR\_NFIP@water.ca.gov or FEMA-NFIP-R9@fema.dhs.gov. Please put community name in subject line.

**Before you start:** Review the General Instructions for Amending the California Building Standards Code (CCR Title 24) to Adopt Higher Standards for Buildings and Development Located in Flood Hazard Areas.

**NFIP Community Rating System Credits.** Adoption and enforcement of this higher standard may qualify for CRS points (credits). Communities should review the [*CRS Coordinators Manual*](https://www.fema.gov/media-library/assets/documents/8768)and consult with their CRS Resource Specialists. FEMA/ISO determines which provisions qualify for points.

**Description[[1]](#footnote-1):** Communities can use floodplain management or subdivision ordinances to avoid or minimize impacts on floodplains through lot layout and open space requirements. Developers may be required to set aside some or all flood hazard areas for open space or recreational areas, or lots may be required to be platted so that building footprints are on high ground. Linear parks and greenways that connect open space areas throughout a community are popular amenities. These more restrictive provisions have advantages over simply requiring buildings to be elevated:

* Fewer buildings are isolated by floodwater, avoiding strains on local emergency services during flood events.
* More open space and recreation areas, generally considered valuable amenities, are included in the design.

**Subdivisions and Flood Hazards.** The American Planning Association’s 2016 PAS Report 584, *Subdivision Design and Flood Hazards*, complements the 1997 PAS Report 473, *Subdivision Design in Flood Hazard Areas.* The newer report reflects a more comprehensive approach to reducing flood risks through subdivision planning and design.

The NFIP regulations do not specify how subdivisions are laid out when some or all of the area being subdivision is in the SFHA. The only NFIP requirement applies where base flood elevations (BFEs) are not provided on FIRMs, in which case communities must require applicants for new subdivisions (including manufactured homes parks and subdivisions) and other proposals to include BFEs when subdivisions and developments include more than 50 lots or involve more than 5 acres, whichever is the lesser.

**How local floodplain management regulations specify subdivision requirements:** Local regulations apply to all subdivisions in SFHAs, including manufactured home parks and subdivisions. Flood hazard information must be shown on preliminary subdivision plats and when subdivision proposals have more than 50 lots or is larger than 5 acres and BFEs are not including on FIRMs, applicants are required to include BFEs in their applications.

**How Part 2 Appendix G specifies subdivision limitations:** Part 2 Appendix G requires all subdivision proposals, regardless of number of lots or size, to include design flood elevations (DFEs) on tentative and final plats. (Remember, DFEs equal BFEs when the FEMA FIRMs are used to define flood hazard areas.) When other maps are used, DFEs are the elevations specified on those maps. Part 2 Appendix G also requires residential building lots to have buildable areas outside of floodways.

**INSTRUCTIONS**

**Modify Local Regulations.** Two options to local floodplain management regulations are shown (based on the DWR model ordinance). Option 1 requires flood hazard areas to be reserved for open space and not included in individual platted lots, and Option 2 requires buildable areas to be outside of flood hazard areas

**Option 1. Use this amendment to reserve flood hazard areas for open space (obviating the need to determine BFEs if not shown on the FIRM).**

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| **Sec. 302-1. - Minimum requirements.** Subdivision proposals in flood hazard areas, including proposals for manufactured home parks and subdivisions, shall be reviewed to determine that:1. Such proposals are consistent with the need to minimize flood damage and will be reasonably safe from flooding.
2. All public utilities and facilities, such as sewer, gas, electric, communications, and water systems are located and constructed to minimize or eliminate flood damage in accordance with Section 303-2 and Section 303-3 of these regulations, as applicable, and appropriate codes.
3. Adequate drainage is provided to reduce exposure to flood hazards; in Zones AH and AO, adequate drainage paths shall be provided to guide floodwater around and away from proposed structures.
4. Flood hazard areas shall be restricted to open space uses and not included in individual platted lots.

**~~Sec. 302-2. - Subdivision requirements.~~** ~~In addition to the requirements of Section 302-1 of these regulations, where any portion of proposed subdivisions, including proposals for manufactured home parks and subdivisions, lies within a flood hazard area, the following shall be required:~~1. ~~The flood hazard area, including floodways, coastal high hazard areas, and Coastal A Zones, as appropriate, shall be delineated on preliminary subdivision plats.~~
2. ~~Where the subdivision has more than 50 lots or is larger than 5 acres and base flood elevations are not included on the FIRM, the base flood elevations determined in accordance with Section 105-2(1) of these regulations.~~
3. ~~When, as part of a proposed subdivision, fill will be placed to support buildings, the fill shall be placed in accordance with the building code and approval of the subdivision shall require submission of as-built elevations for each filled pad certified by a licensed land surveyor or registered civil engineer.~~
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**Option 2. Use this amendment to require residential building lots to have buildable area outside the flood hazard area.**

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| **Sec. 302-1. - Minimum requirements.** Subdivision proposals in flood hazard areas, including proposals for manufactured home parks and subdivisions, shall be reviewed to determine that:1. Such proposals are consistent with the need to minimize flood damage and will be reasonably safe from flooding.
2. All public utilities and facilities, such as sewer, gas, electric, communications, and water systems are located and constructed to minimize or eliminate flood damage in accordance with Section 303-2 and Section 303-3 of these regulations, as applicable, and appropriate codes.
3. Adequate drainage is provided to reduce exposure to flood hazards; in Zones AH and AO, adequate drainage paths shall be provided to guide floodwater around and away from proposed structures.

**Sec. 302-2. - Subdivision requirements.** In addition to the requirements of Section 302-1 of these regulations, where any portion of proposed subdivisions, including proposals for manufactured home parks and subdivisions, lies within a flood hazard area, the following shall be required:1. The flood hazard area, including floodways, coastal high hazard areas, and Coastal A Zones, as appropriate, shall be delineated on preliminary subdivision plats.
2. Residential building lots shall be provided with adequate buildable area outside of the flood hazard area.
3. ~~Where the subdivision has more than 50 lots or is larger than 5 acres and base flood elevations are not included on the FIRM, the base flood elevations determined in accordance with Section 105-2(1) of these regulations.~~
4. ~~When, as part of a proposed subdivision, fill will be placed to support buildings, the fill shall be placed in accordance with the building code and approval of the subdivision shall require submission of as-built elevations for each filled pad certified by a licensed land surveyor or registered civil engineer.~~
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**Modify Title 2 Appendix G.** Two options to amend CCR Title 2 Appendix G are shown. Option 1 requires flood hazard areas to be reserved for open space and not included in individual platted lots, and Option 2 requires buildable areas to be outside of flood hazard areas

**Option 1. Use this amendment to reserve flood hazard areas for open space (obviating the need to determine BFEs if not shown on the FIRM).**

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| *CCR Title 24, Part 2 Appendix G Section G301 is hereby amended as follows:***G301.1 General.** Any subdivision proposal, including proposals for manufactured home parks and subdivisions, or other proposed new development in a flood hazard area shall be reviewed to verify all of the following:1. All such proposals are consistent with the need to minimize flood damage.
2. All public utilities and facilities, such as sewer, gas, electric and water systems are located and constructed to minimize or eliminate flood damage.
3. Adequate drainage is provided to reduce exposure to flood hazards.
4. Flood hazard areas shall be restricted to open space uses and not included in individual platted lots.

**G301.2 Subdivision requirements.** The following requirements shall apply in the case of any proposed subdivision, including proposals for manufactured home parks and subdivisions, any portion of which lies within a flood hazard area:1. The flood hazard area, including floodways, coastal high-hazard areas and coastal A zones, as appropriate, shall be delineated on tentative and final subdivision plats.
2. Design flood elevations shall be shown on tentative and final subdivision plats.
3. ~~Residential building lots shall be provided with adequate buildable area outside the floodway.~~

3. ~~4.~~The design criteria for utilities and facilities set forth in this appendix and appropriate InternationalCodes shall be met. |

**Option 2. Use this amendment to require residential building lots to have buildable area outside the flood hazard area.**

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| *CCR Title 24, Part 2 Appendix G Section G301 is hereby amended as follows:***G301.2 Subdivision requirements.** The following requirements shall apply in the case of any proposed subdivision, including proposals for manufactured home parks and subdivisions, any portion of which lies within a flood hazard area: 1. The flood hazard area, including floodways, coastal high-hazard areas and coastal A zones, as appropriate, shall be delineated on tentative and final subdivision plats.
2. Design flood elevations shall be shown on tentative and final subdivision plats.
3. Residential building lots shall be provided with adequate buildable area outside the flood hazard area ~~floodway~~.
4. The design criteria for utilities and facilities set forth in this appendix and appropriate InternationalCodes shall be met.
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1. Reference: [*Reducing Flood Losses Through the International Codes: Coordinating Building Codes and Floodplain Management Regulations*](http://www.fema.gov/media-library/assets/documents/96634)(5th Edition, 2019), International Code Council and FEMA. [↑](#footnote-ref-1)